



MEMORANDUM

Agenda Item No. 8(F)(6)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 3, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution declaring surplus
seventy-three County-owned
properties; authorizing the County
Mayor to dispose of said properties
in accordance with Florida Statute
125.35(2), and Florida Statute
197.592; authorizing the waiver of
Administrative Order 8-4 as it
pertains to review by the planning
Advisory Board

This item was amended from the original version as stated in the County Mayor's memorandum.

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Infrastructure and Land Use Committee.

R. A. Cuevas, Jr.
County Attorney


RAC/cp

Memorandum



Date: July 3, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing the Sale or Conveyance of 75 County-owned Properties and
Declaring as Surplus in Accordance with Florida Statutes 125.35(2) and 197.592

This item was amended at June 13, 2012 meeting of the Infrastructure and Land Use Committee to include two additional properties (Folio Nos. 30-3111-024-0070 and 01-3114-000-0130).

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution which authorizes the following:

- Declares the 75 County-owned properties listed in Exhibit A as surplus, all of which have been identified by staff as not buildable and/or valued at less than \$15,000;
- Authorizes the County Mayor or County Mayor's designee to sell or convey said properties in accordance with Florida Statute 125.35(2), which provides for the sale of County property to an adjacent property owner, either through private sale or by competitive bid, or, in accordance with Florida Statute 197.592, which provides for the conveyance of County property acquired through tax deed to the governing board of the local municipality; and
- Waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board.

SCOPE

The properties in Exhibit A are located throughout Miami-Dade County and the Commission District is identified for each one.

FISCAL IMPACT/FUNDING SOURCE

The sale or conveyance of the parcels listed in Exhibit A will eliminate the County's obligation to maintain these parcels and will reduce the amount of County resources expended on lot clearing, solid waste removal and towing, which is approximately \$25,000 per year.

In addition, once sold, these properties will be put back on the County's tax roll, generating approximately \$10,000 in annual tax revenue. The total combined 2011 assessed value for the 75 parcels in this item is \$474,532.

TRACK RECORD/MONITOR

The sale and conveyance of these properties is monitored by the Internal Services Department, Real Estate Development Division.

DELEGATION OF AUTHORITY

Authorizes the County Mayor or Mayor's Designee to sell or convey the County-owned parcels listed in Exhibit A, and authorizes the Chairperson or Vice Chairperson to execute County Deeds for such purpose.

BACKGROUND

The County reviews and periodically submits to the Board requests to sell or convey properties that are deemed unusable by County departments. Between January 1, 2010 and April 24, 2012, the

County sold or conveyed 119 properties which generated a total of \$148,278 in revenue.

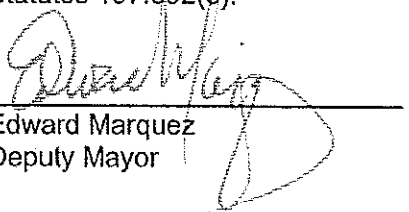
The procedures and conditions for the sale and conveyance of County-owned real property are provided for in Florida Statutes as follows:

- Florida Statute 125.35(2) provides that whenever the Board identifies a County-owned parcel of real property to be (a) insufficient in size and shape to issue building permits for further development, or (b) valued at \$15,000 or less as determined by the Board's designated fee appraiser or by the County Property Appraiser, and, when due to the characteristics and location of said real property, the Board determines that such parcel of real property is of use to only one or more adjacent property owners, the Board may then cause a private sale and conveyance of said property to said adjacent owner(s).
- Chapter 197.592(3) requires that lands acquired by the County for unpaid taxes and located within the boundaries of an incorporated municipality shall be conveyed to the governing board of such municipality once it is determined that the property is of no use to the County.

Although the County has not circulated the list of 75 properties identified in Exhibit A to County departments, all of these properties are too small for development or are landlocked. Nevertheless, these properties will be circulated to all County agencies to determine whether there is a current need for any of the properties. If no need is determined for any particular property, the County will proceed with the disposal process through sale or conveyance.

To encourage the expeditious and successful sale of these parcels, as done with previous properties, staff recommends the minimum sale amount of these parcels to the adjacent owners, either by private sale or via competitive sealed bids, at 75 percent of the tax assessed value at the time of sale.

Additionally, as it relates to the sale of any tax deed property located within the boundaries of a municipality, the municipality will be notified of the property's availability, and, if desired by the municipality, the property will be conveyed for a nominal value of \$10.00 as prescribed in Florida Statutes 197.592(3).



Edward Marquez
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 3, 2012

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(6)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(6)
7-3-12

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS SEVENTY-FIVE COUNTY-OWNED PROPERTIES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DISPOSE OF SAID PROPERTIES IN ACCORDANCE WITH FLORIDA STATUTE 125.35(2), AND FLORIDA STATUTE 197.592; AUTHORIZING THE WAIVER OF ADMINISTRATIVE ORDER 8-4 AS IT PERTAINS TO REVIEW BY THE PLANNING ADVISORY BOARD; AND AUTHORIZING EXECUTION OF COUNTY DEEDS BY THE BOARD OF COUNTY COMMISSIONERS ACTING BY THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD FOR SUCH PURPOSE

WHEREAS, Florida Statute 125.35(2) provides that when the Board of County Commissioners finds that a parcel of real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, or when the Board of County Commissioners finds that the value of a parcel of real property is \$15,000.00, or less, as determined by a fee appraiser designated by the Board or as determined by the County Property Appraiser, and when, due to the size, shape, location and value of the parcel, it is determined by the Board that the parcel is of use only to one or more adjacent property owners, the Board may effect a private sale of the parcel; and

WHEREAS, Florida Statute 197.592(3) states that lands acquired by the County of the State for delinquent taxes in accordance with law which have not been previously sold, acquired for infill housing, affordable housing, or dedicated by the Board of County Commissioners, which the Board of County Commissioners has determined are not to be conveyed to the record fee simple owner in accordance with the provisions of subsections (1) and (2), and which are

located within the boundaries of an incorporated municipality of the County shall be conveyed to the governing board of the municipality in which the land is located; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that :

Section 1. This Board ratifies and accepts the prior recitals.

Section 2. This Board authorizes waiving Administrative Order 8-4 as it pertains to review by the Planning Advisory Board.

Section 3. This Board authorizes the County Mayor or Mayor's designee to sell the ~~[[seventy-three]]~~¹ >>seventy-five<< County-owned properties listed in Exhibit "A" either through private sale with the adjacent owner, via competitive bidding or via nominal conveyance to incorporated municipalities; and authorizes the Chairman or Vice-Chairman of the Board of County Commissioners to execute County Deeds for said purpose, in substantially the form attached hereto.

Section 4. Pursuant to Resolution No. R-974-09, the Board directs the County Mayor or the Mayor's designee to record the instrument of conveyance accepted herein the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution.

¹ Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of July, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Debra Herman

Instrument prepared by and returned to:
Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

COUNTY DEED

THIS DEED, made this _____ day of _____, 201 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1963 and _____, party of the second part, whose address is _____ Miami, Florida.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of _____ Dollars and no/100 (\$ _____ .00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

SEE ATTACHED EXHIBIT "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Chairperson or Vice Chairperson

Approved for legal sufficiency, _____

The foregoing was authorized by Resolution No. _____ approved by the Board of County
Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2012.

EXHIBIT "A"

	Folio	Address	District	Dept User	Lot Size	Zoning	Property Type	Utilization Status	2011 Assessed Value
1	<u>34-2108-008-1771</u>	N/A	1	Internal Services Department	3,450		Vacant Land	Excess	\$5,922.00
2	<u>34-2110-004-0930</u>	N/A	1	Internal Services Department	N/A		Vacant Land	Excess	\$4,335
3	<u>34-2115-005-1020</u>	2191 NW 152 TER	1	Internal Services Department	3,500		Vacant Land	Excess	\$6,337
4	<u>34-2116-005-0020</u>	N/A	1	Internal Services Department	500		Vacant Land	Excess	\$4,176
5	<u>34-2116-005-0030</u>	N/A	1	Internal Services Department	500		Vacant Land	Excess	\$4,176
6	<u>34-2116-006-0020</u>	N/A	1	Internal Services Department	500		Vacant Land	Excess	\$4,176
7	<u>34-2116-006-0030</u>	N/A	1	Internal Services Department	496		Vacant Land	Excess	\$4,141
8	<u>34-2116-006-3320</u>	N/A	1	Internal Services Department	250		Vacant Land	Excess	\$2,088
9	<u>34-2116-006-3340</u>	N/A	1	Internal Services Department	500		Vacant Land	Excess	\$4,176
10	<u>01-3114-016-1060</u>	6850 NW 15 AVE	2	Internal Services Department	2,500	C-1	Vacant Land	Excess	\$25,000
11	<u>07-2216-016-0600</u>	N/A	2	Internal Services Department	3,375	RS-3	Vacant Land	Excess	\$6,650
12	<u>30-2134-000-0360</u>	N/A	2	Internal Services Department	1,230	RU-1	Vacant Land	Excess	\$4,895
13	<u>30-3110-012-0161</u>	N/A	2	Internal Services Department	N/A	RU-2	Vacant Land	Excess	\$931
14	<u>30-3110-016-0730</u>	N/A	2	Internal Services Department	3,250	RU-2	Vacant Land	Excess	\$5,778
15	<u>30-3110-022-0010</u>	N/A	2	Internal Services Department	N/A	RU-1	Vacant Land	Excess	\$1,993
16	<u>30-3110-022-0130</u>	N/A	2	Internal Services Department	N/A	RU-1	Vacant Land	Excess	\$864
17	<u>30-3110-022-0160</u>	N/A	2	Internal Services Department	4,356	RU-1	Vacant Land	Excess	\$1,993
18	<u>30-3110-022-0170</u>	N/A	2	Internal Services Department	N/A	RU-1	Vacant Land	Excess	\$864
19	<u>30-3110-022-0291</u>	N/A	2	Internal Services Department	N/A	RU-1	Vacant Land	Excess	\$864
20	<u>30-3110-025-0691</u>	N/A	2	Internal Services Department	N/A	RU-2	Vacant Land	Excess	\$2,151
21	<u>30-3110-028-0210</u>	1919 NW 71 ST	2	Internal Services Department	3,500	RU-2	Vacant Land	Excess	\$4,839
22	<u>30-3110-033-0110</u>	2108 NW 76 ST	2	Internal Services Department	2,250	RU-1	Vacant Land	Excess	\$5,221
23	<u>30-3110-053-1150</u>	2398 NW 76 ST	2	Internal Services Department	2,497	IU-1	Vacant Land	Excess	\$24,970
24	<u>30-3110-053-1160</u>	N/A	2	Internal Services Department	2,497	IU-1	Vacant Land	Excess	\$24,970
25	<u>30-3111-007-0310</u>	7935 NW 9 AVE	2	Internal Services Department	2,500	RU-2	Vacant Land	Excess	\$10,033
26	<u>30-3111-015-0040</u>	N/A	2	Internal Services Department	N/A	RU-2	Vacant Land	Excess	\$130
27	<u>30-3111-015-0070</u>	8036 NW 12 PL	2	Internal Services Department	N/A	RU-1	Vacant Land	Excess	\$9,055
28	<u>30-3111-024-0070</u>	Adj. E - 1177 NW 76 ST	2	Internal Services Department	15,105	RU-2	Vacant Land	Excess	\$28,700
29	<u>30-3111-039-0100</u>	1462 NW 73 ST	2	Internal Services Department	2,500	RU-1	Vacant Land	Excess	\$18,957
30	<u>30-3111-047-0130</u>	8045 NW 10 AVE	2	Internal Services Department	2,308	RU-2	Vacant Land	Excess	\$7,605
31	<u>30-3115-005-3591</u>	N/A	2	Internal Services Department	N/A	BU-3	Vacant Land	Excess	\$1,940
32	<u>30-3115-005-3900</u>	N/A	2	Internal Services Department	2,800	RU-2	Vacant Land	Excess	\$2,613
33	<u>01-0105-040-1010</u>	310 NW 7 ST	3	Internal Services Department	N/A	R-4	Vacant Land	Excess	\$375
34	<u>01-3112-028-0050</u>	7649 NW 6 CT	3	Internal Services Department	429	C-2	Vacant Land	Excess	\$3,003
35	<u>01-3113-000-0210</u>	155 NE 59 TER	3	Internal Services Department	4,872	R-3	Vacant Land	Excess	\$11,693
36	<u>01-3113-000-0860</u>	6320 NW 1 AVE	3	Internal Services Department	4,238	R-2	Vacant Land	Excess	\$5,077
37	<u>01-3113-063-0350</u>	5922 NW 1 AVE	3	Internal Services Department	3,000	R-3	Vacant Land	Excess	\$7,217
38	<u>01-3114-000-0130</u>	744 NW 59 ST	3	Internal Services Department	5,489	R-3	Vacant Land	Excess	\$19,743

* N/A in the Address column indicates that no address has been assigned to the parcel

**The two additional parcels (#28 and #38) amended into the item are in italics

EXHIBIT "A"

	Folio	Address	District	Dept User	Lot Size	Zoning	Property Type	Utilization Status	2011 Assessed Value
39	01-3114-000-0590	1125 NW 55 ST	3	Internal Services Department	1,359	R-1	Vacant Land	Excess	\$562
40	01-3114-000-0590	N/A	3	Internal Services Department	146	G/I	Vacant Land	Excess	\$302
41	01-3123-000-0300	N/A	3	Internal Services Department	7,013	R-2	Vacant Land	Excess	\$14,015
42	01-3125-047-0260	640 NW 27 ST	3	Internal Services Department	N/A	I	Vacant Land	Excess	\$350
43	01-3125-048-1220	1613 NW 1 CT	3	Internal Services Department	3,750	R-3	Vacant Land	Excess	\$13,200
44	01-3125-048-1740	1433 NW 1 CT	3	Internal Services Department	3,750	R-3	Vacant Land	Excess	\$13,200
45	01-3127-006-0060	2001 NW 28 ST	3	Internal Services Department	1,394	R-3	Vacant Land	Excess	\$9,619
46	01-3135-019-2121	1124 NW 11 ST RD	3	Internal Services Department	972	R-4	Vacant Land	Excess	\$2,400
47	01-3135-019-2510	1361 NW 9 AVE	3	Internal Services Department	101	R-4	Vacant Land	Excess	\$300
48	01-3135-009-0840	1337 NW 2 AVE	3	Internal Services Department	3,821	R-3	Vacant Land	Excess	\$8,147
49	01-3136-051-0220	1532 NW 1 PL	3	Internal Services Department	2,850	R-3	Vacant Land	Excess	\$6,052
50	30-3121-026-1170	2747 NW 44 ST	3	Internal Services Department	2,510	RU-2	Vacant Land	Excess	\$4,647
51	30-3121-026-1300	2750 NW 44 ST	3	Internal Services Department	2,510	RU-2	Vacant Land	Excess	\$4,647
52	30-2232-000-0070	N/A	4	Internal Services Department	334	RU-4M	Vacant Land	Excess	\$167
53	01-0201-000-1220	N/A	5	Internal Services Department	2,442	C-1	Vacant Land	Excess	\$29,914
54	01-3133-022-0431	N/A	5	Internal Services Department	N/A	R-2	Vacant Land	Excess	\$500
55	01-3133-029-0140	1240 NW 32 CT	5	Internal Services Department	1,191	R-2	Vacant Land	Excess	\$75
56	01-4103-014-1580	1790 SW 3 ST	5	Internal Services Department	1,370	R-3	Vacant Land	Excess	\$15,895
57	01-4120-013-0310	N/A	7	Internal Services Department	2,200	R-1	Vacant Land	Excess	\$7,260
58	01-4120-013-0320	N/A	7	Internal Services Department	2,200	R-1	Vacant Land	Excess	\$7,260
59	01-4121-002-1240	3625 DAY AVE	7	Internal Services Department	370	R-2	Vacant Land	Excess	\$2,590
60	03-4129-027-3500	N/A	7	Internal Services Department	250	R-7	Vacant Land	Excess	\$7,500
61	10-7908-000-0481	N/A	8	Internal Services Department	3,920	AU	Vacant Land	Excess	\$10,780
62	30-6836-000-0471	N/A	8	Internal Services Department	9,583	AU	Vacant Land	Excess	\$5,500
63	10-7813-036-0530	N/A	9	Internal Services Department	2,425	R-3	Vacant Land	Excess	\$6,245
64	16-7824-012-0030	N/A	9	Internal Services Department	3,920	RD-1	Vacant Land	Excess	\$8,423
65	30-5032-013-0490	N/A	9	Internal Services Department	403	RU-2	Vacant Land	Excess	\$806
66	30-5834-000-1050	N/A	9	Internal Services Department	18,295	GU	Vacant Land	Excess	\$2,100
67	30-6007-001-0080	N/A	9	Internal Services Department	5,780	RU-1	Vacant Land	Excess	\$11,560
68	30-7826-006-0521	N/A	9	Internal Services Department	3,765	EU-M	Vacant Land	Excess	\$3,765
69	30-7828-002-0330	N/A	9	Internal Services Department	25,265	GU	Vacant Land	Excess	\$10,440
70	30-7828-000-0220	N/A	9	Internal Services Department	11,325	GU	Vacant Land	Excess	\$4,680
71	30-8803-001-0600	N/A	9	Internal Services Department	7,057	GU	Vacant Land	Excess	\$2,430
72	30-4917-002-7072	N/A	11	Internal Services Department	N/A	GU	Vacant Land	Excess	\$4,000
73	30-4917-004-2870	N/A	11	Internal Services Department	N/A	GU	Vacant Land	Excess	\$8,500
74	30-4917-004-4180	N/A	11	Internal Services Department	N/A	GU	Vacant Land	Excess	\$8,500
75	30-4917-004-4400	N/A	11	Internal Services Department	N/A	GU	Vacant Land	Excess	\$8,000
Total									\$521,988

* N/A in the Address column indicates that no address has been assigned to the parcel

** The two additional parcels (#28 and #38) amended into the item are in italics